

THE HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

STEPHANIE WILSON,

Plaintiff,

v.

DISCOVER BANK.

Defendant.

No. 3:12-cv-05209-RBL

**VERIFICATION OF STATE
COURT RECORDS**

I, ERIN M. WILSON, hereby declare:

1. I am one of the attorneys of record for Defendant Discover Bank in the above-referenced action. I am a citizen of the United States and am competent to make this declaration based upon my personal knowledge and to identify the exhibits attached hereto.

2. Pursuant to Local Rule W.D. Wash. 101(b), I verify that the following documents are true and correct copies of all of the records that have been filed with the Clallam County Superior Court under Cause No. 12-2-00031-2, *Stephanie Wilson v. Discover Bank* as of today's date (*see* docket sheet attached as **Exhibit A**):

A. A true and correct copy of the Case Information Cover Sheet, filed in Clallam County Superior Court on January 12, 2012 (Superior Court docket no. 1), is attached hereto as **Exhibit B**;

VERIFICATION OF STATE COURT RECORDS - 1
No. 12-CV-05209-RBL

118144.0039/5329318.1

LANE POWELL PC
1420 FIFTH AVENUE, SUITE 4100
SEATTLE, WASHINGTON 98101-2338
206.223.7000 FAX: 206.223.7107

1 B. A true and correct copy of the Demand for Jury, filed in Clallam
2 County Superior Court on January 19, 2012 (Superior Court docket no. 4), is attached hereto
3 as **Exhibit C**;

4 C. A true and correct copy of the Affidavit/Declaration of Service, filed in
5 Clallam County Superior Court on February 27, 2012 (Superior Court docket no. 5) is
6 attached hereto as **Exhibit D**;

7 D. A true and correct copy of the Notice of Appearance, filed in Clallam
8 County Superior Court on March 1, 2012 (Superior Court docket no. 6) is attached hereto as
9 **Exhibit E**;

10 E. A true and correct copy of the Notice to the Clerk of Removal to
11 Federal Court (without attachments), filed in Clallam County Superior Court on March 12,
12 2012 (Superior Court docket no. 7), is attached hereto as **Exhibit F**.

13 3. The following documents were attached to the Declaration of Erin M. Wilson
14 in Support of Removal, previously filed with this Court, and are not re-filed herein pursuant to
15 Local Rule W.D. Wash. 101(b):

16 A. Plaintiff's Complaint (Superior Court docket no. 1); and

17 B. Summons (Superior Court docket no. 4).

18 I declare under penalty of perjury of the laws of the United States and State of
19 Washington that the foregoing is true and correct.

20 EXECUTED at Seattle, Washington on this 15th day of March, 2012.

21 
22 Erin M. Wilson

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VERIFICATION OF STATE COURT RECORDS - 2
No. 12-CV-05209-RBL

118144.0039/5329318.1

LANE POWELL PC
1420 FIFTH AVENUE, SUITE 4100
SEATTLE, WASHINGTON 98101-2338
206.223.7000 FAX: 206.223.7107

DECLARATION OF SERVICE

Pursuant to RCW 9.A.72.085, the undersigned certifies under penalty of perjury under the laws of the State of Washington, that on the 15th day of March, 2012, the document attached hereto was presented to the Clerk of the Court for filing and uploading to the CM/ECF system. In accordance with their ECF registration agreement and the Court's rules, the Clerk of the Court will send e-mail notification of such filing to the following persons:

Dennis R. Kurz
Weisberg & Meyers LLC
5025 N. Central Ave. #602
Phoenix, AZ 85012
Email: DKurz@AttorneysForConsumers.com

- ☒ by CM/ECF
- ☐ by Electronic Mail
- ☐ by Facsimile Transmission
- ☐ by First Class Mail
- ☐ by Hand Delivery
- ☐ by Overnight Delivery

DATED this 15th day of March, 2012 at Seattle, Washington.


Declarant

VERIFICATION OF STATE COURT RECORDS - 3
No. 12-CV-05209-RBL

118144.0039/5329318.1

LANE POWELL PC
1420 FIFTH AVENUE, SUITE 4100
SEATTLE, WASHINGTON 98101-2338
206.223.7000 FAX: 206.223.7107

EXHIBIT A

Performed on: Thu Mar 15 2012 8:05:48 PST
 Search Title: 12-2-00031-2 - WA Superior Clallam County
 Client/Matter #:
 Case Type: Civil

COURTTRAX
WA - Clallam County Superior Court
Case #12-2-00031-2

SUMMARY

Title: STEPHANIE WILSON VS DISCOVER BANK	Court: CLALLAM COUNTY SUPERIOR COURT
Judge Id: 2	Filed: 01/12/2012
Cause of Action: MISCELLANEOUS	Resolution: UNCONTESTED RESOLUTION
Resolution Date: 03 12 2012	Completion: UNCONTESTED COMPLETION
Completion Date: 03 12 2012	Case Status: COMPLETED/RECOMPLETED
Status Date: 03 12 2012	Note #1: JUDGE KEN WILLIAMS

NAMES**Total participants: 4**

WILSON, STEPHANIE	Relation to Case: Plaintiff (PLA01)
KURZ, DENNIS ROBERT	Relation to Case: Attorney for Plaintiff/Petitioner (ATP01)
	Represented Parties: WILSON, STEPHANIE (PLA01)
	Bar#: 43735
DISCOVER BANK	Relation to Case: Defendant (DEF01)
DEGGINGER, GRANT STEVEN	Relation to Case: Attorney for Defendant (ATD01)
	Represented Parties: DISCOVER BANK (DEF01)
	Bar#: 15261

ATTORNEYS

KURZ, DENNIS ROBERT	Address: 5025 N CENTRAL AVE # 602 PHOENIX, AZ 85012-1520
	Bar #: 43735
	Phone: (888) 595-9111
	Last Address Change: 06/10/2011
	Status: Active
DEGGINGER, GRANT STEVEN	Address: 1420 5TH AVE STE 4100 SEATTLE, WA 98101-2338
	Bar #: 15261
	Phone: (206) 223-7000
	Last Address Change: 03/04/2005
	Status: Active

DOCKET & DOCUMENTS**Docket**

Item #	Date	Court Code	Description/Name	Secondary Info
-	01 12 2012	NOTE	JUDGE KEN WILLIAMS	
-	01 12 2012	\$FFR	FILING FEE RECEIVED	230.00
1	01 12 2012	CICS	CASE INFORMATION COVER SHEET +	
2	01 12 2012	CMP	COMPLAINT FOR VIOLATION OF FEDERAL TELEPHONE CONSUMER PROTECTION ACT	
3	01 12 2012	SM	SUMMONS	
4	01 19 2012	DMJY6	DEMAND FOR JURY-6 PERSON	
5	02 27 2012	AFSR	AFFIDAVIT/DCLR/CERT OF SERVICE	
6	03 01 2012	NTAPR	NOTICE OF APPEARANCE	
7	03 12 2012	NT	NOTICE TO SUPERIOR COURT CLERK OF REMOVAL TO	

FEDERAL COURT

NOTE: "The Washington State Administrative Office of the Courts and the Washington State courts do not warrant that the information is accurate or correct and deny liability for any damages resulting from the release or use of the data. In order to assure or verify the accuracy of the information or data received, the customer should personally consult the 'official' record reposing at the court of record."

End of Report

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EXHIBIT B

FILED
CLALLAM CO CLERK

2012 JAN 12 P 1:21

BARBARA CHRISTENSE

12 2 00031 2

CASE TYPE 2

CLALLAM

COUNTY SUPERIOR COURT

CASE INFORMATION COVER SHEET

Case Title STEPHANIE WILSON v. DISCOVER BANK

Case Number _____

Attorney Name Dennis R. KurzBar Membership Number 43735

Please check one category that best describes this case for indexing purposes. Accurate case indexing not only saves time in docketing new cases, but helps in forecasting needed judicial resources. Cause of action definitions are listed on the back of this form. Thank you for your cooperation.

APPEAL/REVIEW

- ☐ Administrative Law Review (ALR 2)
- ☐ Appeal of a Department of Licensing Revocation (DOL 2)
- ☐ Civil Non-Traffic (LCA 2)
- ☐ Civil Traffic (LCI 2)

CONTRACT/COMMERCIAL

- ☐ Breach of Contract (COM 2)
- ☐ Commercial Contract (COM 2)
- ☐ Commercial Non-Contract (COL 2)
- ☐ Third Party Collection (COL 2)

MERETRICKIOUS RELATIONSHIP

- ☐ Meretricious Relationship (MER 2)

DOMESTIC VIOLENCE/HARASSMENT

- ☐ Civil Harassment (HAR 2)
- ☐ Domestic Violence (DVP 2)
- ☐ Foreign Protection Order (FPO 2)
- ☐ Viable Adult Protection (VAP 2)

JUDGMENT

- ☐ Abstract Only (ABJ 2)
- ☐ Foreign Judgment (FJU 2)
- ☐ Judgment, Another County (ABJ 2)
- ☐ Judgment, Another State (FJU 2)
- ☐ Tax Warrant (TAX 2)
- ☐ Transcript of Judgment (TRJ 2)

OTHER COMPLAINT/PETITION

- ☐ Action to Compel/Confirm Private Binding Arbitration (MSC 2)
- ☐ Change of Name (CHN 2)
- ☐ Deposit of Surplus Funds (MSC 2)
- ☐ Emancipation of Minor (EOM 2)
- ☐ Injunction (INJ 2)
- ☐ Interpleader (MSC 2)
- ☐ Malicious Harassment (MHA 2)

- ☐ Minor Settlement (No guardianship) (MST 2)
- ☐ Petition for Civil Commitment (Sexual Predator) (PCC 2)
- ☐ Seizure of Property from Commission of Crime (SPC 2)
- ☐ Seizure of Property Resulting from a Crime (SPR 2)
- ☐ Subpoenas (MSC 2)

PROPERTY RIGHTS

- ☐ Condemnation (CON 2)
- ☐ Foreclosure (FOR 2)
- ☐ Land Use Petition (LUP 2)
- ☐ Property Fairness (PFA 2)
- ☐ Quiet Title (QTI 2)
- ☐ Unlawful Detainer (UND 2)

TORT, MEDICAL MALPRACTICE

- ☐ Hospital (MED 2)
- ☐ Medical Doctor (MED 2)
- ☐ Other Health Care Professional (MED 2)

TORT, MOTOR VEHICLE

- ☐ Death (TMV 2)
- ☐ Non-Death Injuries (TMV 2)
- ☐ Property Damage Only (TMV 2)

TORT, NON-MOTOR VEHICLE

- ☐ Asbestos (PIN 2)
- ☐ Other Malpractice (MAL 2)
- ☐ Personal Injury (PIN 2)
- ☐ Products Liability (TTO 2)
- ☐ Property Damage (PRP 2)
- ☐ Wrongful Death (WDE 2)

WRIT

- ☐ Habeas Corpus (WHC 2)
- ☐ Mandamus (WRM 2)
- ☐ Restitution (WRR 2)
- ☐ Review (WRV 2)

IF YOU CANNOT DETERMINE THE APPROPRIATE CATEGORY, PLEASE DESCRIBE THE CAUSE OF ACTION BELOW.
 Violation of the federal Telephone Consumer Protection Act ("TCPA"), 47 U.S.C. § 227

SCANNED-1

EXHIBIT C

Superior Court of Washington
In and For Clallam County

STEPHANIE WILSON

Plaintiff,

Cause No. **12 2 00031 2**

vs.

DEMAND FOR JURY

DISCOVER BANK,

Defendant.

The Plaintiff, STEPHANIE WILSON, hereby elects to have the above entitled cause tried by a jury. The jury demand fee is hereby paid, in the amount of:

- ☒ Six Member Jury -- \$125.00
☐ Twelve Member Jury -- \$250.00

Dated this Jan. 6th day of January, 2012.

By: Dennis R. Kurz
Attorney for Plaintiff

Address: 5025 N. Central Ave. #602
Phoenix, AZ 85012

Phone Number: 888-595-9111 ext. 412

FILED
CLALLAM COUNTY
2012 JAN 19 P 1:50
CAROL ANN CHRISTENSEN

00010
\$125.00 jury
fee received
1/19/12
Ben

EXHIBIT D

AFFIDAVIT OF SERVICE

State of WASHINGTON

County of CLALLAM

Superior Court

Case Number: 12-2-00031-2

Plaintiff:

STEPHANIE WILSON

vs.

Defendant:

DISCOVER BANK

Received by Pronto Process - Austin on the 2nd day of February, 2012 at 12:04 pm to be served on **DISCOVER BANK, 100 W. MARKET, GREENWOOD, DE 19950**. I, GRANVILLE MORRIS, being duly sworn, depose and say that on the 7th day of February, 2012 at 5 00p.m., executed service by delivering a true copy of the **SUMMONS AND COMPLAINT WITH JURY DEMAND** in accordance with state statutes in the manner marked below:

() PUBLIC AGENCY: By serving _____ as _____ of the within-named agency.

() SUBSTITUTE SERVICE: By serving _____ as _____

(*) CORPORATE SERVICE: By serving HELEN MALONEY as PROCESS AGENT

() OTHER SERVICE: As described in the Comments below by serving _____ as _____

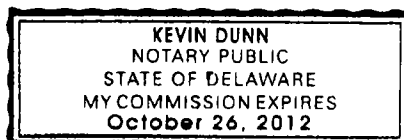
() NON SERVICE: For the reason detailed in the Comments below.

COMMENTS: SERVED AT 502 E MARKET ST. GREENWOOD DE 19950

I am a private process server authorized by local jurisdiction to serve process. I am over the age of twenty-one, not a party to nor interested in the outcome of this lawsuit. I am capable of making this Affidavit, and fully competent to testify to the matters stated herein. I have personal knowledge of each of the matters stated herein and the statements made in this Affidavit are true and correct.

Subscribed and Sworn to before me on the 7th day of FEBRUARY, 2012 by the affiant who is personally known to me.

NOTARY PUBLIC



GRANVILLE MORRIS
PROCESS SERVER # _____
Appointed in accordance with State Statutes

Pronto Process - Austin
106 E. 6th Street
Suite 800
Austin, TX 78701
(512) 472-8777
Our Job Serial Number: 2012000190

RETURN OF NON-SERVICE for 11-CV-01334-ROS

I declare under penalty of perjury under the laws of the State of Washington: That I am now and at all times herein mentioned a citizen of the United States and resident of the State of Washington, over the age of eighteen years, not a party to or interested in the above entitled action and competent to be a witness therein.

C-2-

Eric Traina
1015796

14973 Interurban Avenue South
Suite 201
Tukwila, WA 98168
(800) 672-1952
Our Job Serial Number: GPT-2011033134
Ref: 20111213144451

EXHIBIT E

SCANNED - 2

FILED
CLALLAM CO CLERK
2012 MAR -1 P 12:32
BARBARA CHRISTENSEN

SUPERIOR COURT OF WASHINGTON FOR CLALLAM COUNTY

STEPHANIE WILSON,

Plaintiff,

v.

DISCOVER BANK,

Defendant.

No. 12-2-00031-2

NOTICE OF APPEARANCE

TO: STEPHANIE WILSON;
AND TO: DENNIS R. KURZ, Attorney for Plaintiff;
AND TO: CLERK OF THE COURT;
AND TO: ALL OTHER PARTIES OF INTEREST

PLEASE TAKE NOTICE that without waiving any objections as to personal jurisdiction or subject matter jurisdiction, venue, or sufficiency of process, the appearance of Defendant Discover Bank is hereby entered in the above-entitled action through the undersigned attorneys. You are hereby directed to serve all further papers and pleadings, except original process, upon the undersigned attorneys at the address below stated.

DATED: February 29, 2012

LANE POWELL PC

By Erin M. Wilson
Grant S. Degginger, WSBA No. 15261
Erin M. Wilson, WSBA No. 42454
Attorneys for Defendant Discover Bank

NOTICE OF APPEARANCE - 1
No. 12-2-00031-2

ORIGINAL

LANE POWELL PC
1420 FIFTH AVENUE, SUITE 4100
SEATTLE, WASHINGTON 98101-2338

CERTIFICATE OF SERVICE

I hereby certify that on February 29, 2012, I caused to be served a copy of the foregoing **NOTICE OF APPEARANCE** on the following person(s) in the manner indicated below at the following address(es):

Dennis R. Kurz Weisberg & Meyers, LLC 5025 N. Central Ave. #602 Phoenix, AZ 85012 DKurz@AttorneysForConsumers.com	<input checked="" type="checkbox"/> by Electronic Mail <input type="checkbox"/> by CM/ECF <input type="checkbox"/> by ABC / Process Service <input type="checkbox"/> by Facsimile Transmission <input type="checkbox"/> by First Class Mail <input type="checkbox"/> by Hand Delivery <input checked="" type="checkbox"/> by Overnight Delivery
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I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Signed at Seattle, Washington, this 29th day of February, 2012.

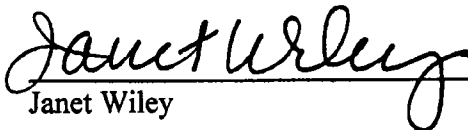

Janet Wiley

EXHIBIT F

SCANNED -32

FILED
CLALLAM CO CLERK
2012 MAR 12 P 12:55
BARBARA CHRISTENSEN

SUPERIOR COURT OF WASHINGTON FOR CLALLAM COUNTY

STEPHANIE WILSON,

Plaintiff,

v.

DISCOVER BANK,

Defendant.

NO. 12-2-00031-2

**NOTICE TO SUPERIOR COURT
CLERK OF REMOVAL TO FEDERAL
COURT**

TO: Clerk of the Court
AND TO: Stephanie Wilson, Plaintiff
AND TO: Dennis R. Kurz, her attorney.

NOTICE IS HEREBY GIVEN, pursuant to 28 U.S.C. § 1331, 1441 and 1446, that defendant Discover Bank filed a Notice of Removal, Declaration of Erin M. Wilson in Support of Notice of Removal, and Notice to Plaintiff of Removal, copies of which are attached to this Notice, for removal of the above-entitled action to the United States District Court for the Western District of Washington at Tacoma.

This removal terminates this Court's jurisdiction and all proceedings in this forum pursuant to 28 U.S.C. § 1331, 1441 and 1446.

NOTICE TO SUPERIOR COURT CLERK OF
REMOVAL TO FEDERAL COURT - 1

LANE POWELL PC
1420 FIFTH AVENUE, SUITE 4100
SEATTLE WASHINGTON 98101-2338

1 DATED: March 9, 2012

2 LANE POWELL PC

3
4 By Erin M. Wilson
5 Grant S. Degginger, WSBA No. 15261
6 Erin M. Wilson, WSBA No. 42454
7 Attorneys for Defendant Discover Bank
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NOTICE TO SUPERIOR COURT CLERK OF
REMOVAL TO FEDERAL COURT - 2

LANE POWELL PC
1420 FIFTH AVENUE, SUITE 4100
SEATTLE, WASHINGTON 98101-2338

CERTIFICATE OF SERVICE

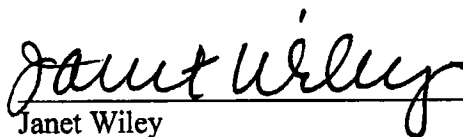
I hereby certify that on March 9, 2012, I caused to be served a copy of the foregoing on the following person(s) in the manner indicated below at the following address(es):

Dennis R. Kurz
Weisberg & Meyers, LLC
5025 N. Central Ave. #602
Phoenix, AZ 85012
DKurz@AttorneysForConsumers.com

<input checked="" type="checkbox"/>	by Electronic Mail
<input type="checkbox"/>	by CM/ECF
<input type="checkbox"/>	by ABC / Process Service
<input type="checkbox"/>	by Facsimile Transmission
<input type="checkbox"/>	by First Class Mail
<input type="checkbox"/>	by Hand Delivery
<input checked="" type="checkbox"/>	by Overnight Delivery

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Signed at Seattle, Washington, this 9th day of March, 2012.


Janet Wiley

NOTICE TO SUPERIOR COURT CLERK OF
REMOVAL TO FEDERAL COURT - 3

LANE POWELL PC
1420 FIFTH AVENUE, SUITE 4100
SEATTLE WASHINGTON 98101-2338